

20, 21 and 23 were rejected under 35 USC §102(a) as being anticipated by the article “Now Where Did I Put That Can Of Soup?” by Harrow, called “Now “ in the Office Action and hereinafter; claim 2 was rejected under 35 USC §103(a) as being unpatentable over Now in view of official notice regarding customer shopping tendencies; claims 4, 5, 12-14, 19 and 22 were rejected under 35 USC §103(a) as being unpatentable over Now; in view of official notice regarding home-networking systems; and claims 9 and 11 were rejected under 35 USC §103(a) as being unpatentable over Now in view of “HP Rewrites the Rules for Office Desktop Printers” (April 20, 1998. Business Wire).

In response to the rejection under 35 USC §112, second paragraph, the informalities identified in claims 11 and 13 have been corrected herewith.

In light of the several grounds for rejection on the merits, claim 1 has been amended to include the limitations stated in claim 7 and claims 7 has been canceled. Likewise, claims 17 and 20 have been amended to include selected limitations from claims 21 and 23 respectively. Accordingly, each of independent claims 1, 17 and 20 recite a feature (i.e., structure or step) related to transmission of delivery data of the consumable items from the consumable item supplying section to the user side.

In contrast, the cited reference “Now” seems to transmit the delivery date from the user side as pointed out in the Office Action on page 3, last line. In view of this distinction, the amended claims are believed to be patentably distinguishing over the cited art.

In addition, Applicants respectfully traverse those grounds for rejection relying of Official Notice. Applicants do not consider the features for which Official Notice were taken

to be "of such notorious character that official notice can be taken." Therefore Applicants traverse this assertion. "The examiner should cite a reference in support of his or her position."<sup>1</sup>

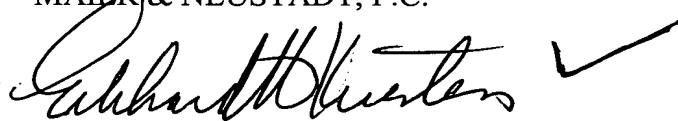
Accordingly, in view of the present amendment and in light of the above comments, the present application is believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Finally, the attention of the Patent Office is directed to the change of address of Applicants' representative, effective January 6, 2003:

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Please direct all future communication to this new address.

Respectfully submitted,  
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<sup>1</sup>MPEP 2144.03, page 2100-129, left column, second full paragraph of MPEP 2144.03.

**Marked-Up Copy**  
Serial No: 09/619,672  
Amendment Filed on: Feb 4, 2003

1. (Amended) A consumable item keeping system, comprising:
  - a consumable item keeping apparatus configured to store a variety of consumable items at a user side;
  - a consumable item supplying section configured to supply a variety of consumable items to a user upon request, said consumable item supplying section being connected to the consumable item keeping apparatus via a communication circuit;
  - a consumable item replenishment level setting device configured to set a consumable item replenishment level for the consumable item keeping apparatus;
  - a consumable item replenishment signal generating device configured to generate a signal indicative of arrival of the consumable items at the consumable item replenishment level; and
  - a consumable item order data transmitting device configured to transmit order data indicating a request for consumable items to be replenished to the consumable item supplying section via the communication circuit, when the consumable item replenishment signal is generated; and

a delivery data transmitting device configured to transmit delivery data of the consumable items from the consumable item supplying section to the user side.

Claim 7. (Canceled)

11. (Amended) A consumable item keeping system as claimed in [claims 1, 2, and 3] claim 9, wherein said inventory detecting device is employable regardless of a model and manufacturer of the image forming apparatus.

13. (Amended) A consumable item keeping system as claimed in claims 1, 2, 3 and 4, said consumable item data transmitting device is disposed at [a used] the user side.

17. A method for keeping consumable item, comprising the steps of:  
setting a consumable item replenishment level for consumable items stored in a consumable item keeping apparatus at a user side;  
generating a signal indicative of arrival of the consumable items at the consumable item replenishment level;  
detecting the signal;  
transmitting order data of consumable items to be replenished to a consumable item supplying section via a communication circuit, when the signal is detected[.]; and transmitting delivery data of the consumable item to be distributed to the user side.

20. (Amended) A consumable item keeping method as claimed in any one of claims 17, 18 and 19, further comprising [steps] a step of:  
[transmitting delivery data of the consumable item to be distributed to the user side;  
and]  
displaying information of the delivery data at the user side.

21. (Amended) A consumable item keeping system, comprising:

consumable item keeping means for storing a variety of consumable items at a user side;

consumable item supplying means for supplying a variety of consumable items to a user upon request, said consumable item supplying means being connected to the consumable item keeping means via communication means;

consumable item replenishment level setting means for setting a consumable item replenishment level for each consumable item;

signal generating means for generating a signal indicative of arrival of the consumable items at the consumable item replenishment level;

signal detecting means for detecting the signal; and

consumable item order data transmitting means for transmitting order data indicating request for consumable items to be replenished to the consumable item supplying means via the communication means, when the signal detecting means detect the signal; and

delivery data transmitting means for transmitting delivery data indicating a consumable item distributing day and consumable item scheduled delivery day from the consumable item supplying means to the user side.

23. (Amended) A consumable item keeping system as claimed in any one of claims 21 and 22, further comprising:

[delivery data transmitting means for transmitting delivery data indicating a consumable item distributing day and consumable item scheduled delivery day from the consumable item supplying means to the user side, and]

displaying means for displaying the delivery data at the user side.